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City of Memphis Alcohol Commission Minutes July 20, 2016

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- I. Call to Order** The regularly scheduled meeting of the Alcohol Commission was called to order at approximately by 9:12 a.m. by Sergeant-At-Arms Officer Gerald Lake.
- II. Roll Call** – The following Commissioners were present: Billy Post, Barry Chase, Erma Hayslett, Johnsie Wallace, Sherman Greer, Steven Reid. Alternate present: Beth Flanagan. Commissioners absent were Jared Johnson, Wayne West and Renee Poe.
Approval of the minutes from the previous meeting – The meeting of the previous meeting were distributed electronically prior to this meeting. *Commissioner Chase motion to approve the minutes of the July 6, 2016 meeting. Commissioner Wallace seconded. The motion passed.*
- III. Special Beer Applicant(s):**
1. Kelly Leafey – 940 Early Maxwell – “**Memphis Roller Derby Season 10 Bout 6 & 7**”
Date(s): **July 23, 2016 & August 20, 2016** - Time: **4:00 p.m. – 10:00 p.m.**
Sponsoring Organization: **Memphis Roller Derby**
Purpose of funds: **Profit; 1 booth(s)**
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner Greer moved approval. Commissioner Chase seconded. The motion passed.
 2. Jane Kitchen – 500 N. Pine Lake Dr. – “**2nd Annual Mid-South Renaissance Faire**”
Date(s): **August 20, 21, 27, 28, 2016** – Time: **10:00 a.m. – 6:00 p.m.**
Sponsoring Organization: **Jane Kitchen**
Purpose of funds: **Profit; 3-4 booth(s)**
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner Greer moved approval. Commissioner Chase seconded. The motion passed.
 3. James Sposto – Levitt Shell/Overton Park – “**FOMOFEST**”
Date(s): **August 6, 2016** – Time: **2:00 p.m. – 10:00 p.m.**
Sponsoring Organization: **FOMOFEST Memphis**
Purpose of funds: **Profit; 2 booth(s)**
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner Greer moved approval. Commissioner Chase seconded. The motion passed.

4. Ana Sanchez – 3991 Jackson Ave. – “El Paraiso”
Date(s): **July 21, 2016 – August 21, 2106** - Time: **12:00 p.m. – 3:00 a.m.**
Sponsoring Organization: **El Paraiso**
Purpose of funds: **Profit; 1-2 booth(s)**
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner Greer moved approval. Commissioner Chase seconded. The motion passed.

IV. Violation(s):

The following location(s) is in violation of A C Rule C-4, C-5, D-4 WITH priors:

5. Salamat Shah – 1974 Whitten Rd. - dba – Big D Food & Fuel, LLC – dba - “**Big D Food & Fuel**” – **Citation #780612, OS-367505**
Date of Violation: **Thursday, May 19, 2016**
Date Permit Approved: 11-20-2013
Prior Violation(s): 02-09-2015 (C-4)
Officer(s): Richardson #1326, Lake #1783, Galison #3156
The owner, represented by Attorney Settle, stipulated to the charges. *Commissioner Hayslett moved to fine the location \$950.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Flanagan seconded. The motion passed.* The owner agreed to the fine and probation.

The following location(s) is in violation of A C Rule C-5, D-4 WITH priors:

6. Billy Otieno – 3521 Lamar Ave. – B & G Express, LLC - dba – “**B & G Express**” –
Citation #739281
Date of Violation: **Friday, May 27, 2016**
Date Permit Approved: 06-03-2015
Prior Violation(s): 03-02-2016 (C-5, D-4)
Officer(s): Richardson #1326, Smith #8636, Clark #1659
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$750.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Greer seconded. The motion passed.* The owner agreed to the fine and probation.
7. Raed N. Khaled – 565 E. Holmes Rd. – Rae-Sum, Inc. – dba – “**R & S Food Mart**” –
Citation #780808
Date of Violation: **Saturday, May 21, 2016**
Date Permit Approved: 02-04-1998
Prior Violation(s): 03-11-2013 (C-4, D-4)
Officer(s): Scott #11510, Smith #8636, Payne #1804
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$750.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Greer seconded. The motion passed.* The owner agreed to the fine and probation.

8. Sardar Aman – 3487 Poplar Ave. - dba – TN Management Group, LLC – dba - “**Exxon**” –
Citation #780723
Date of Violation: **Friday, April 15 2016**
Date Permit Approved: 08-01-2001
Prior Violation(s): 02-27-2015 (C-5)
Officer(s): Bonner #0043, Stepney#1348, Richardson #1326
Mr. Noordin, represented by Attorney Fargotstein, stipulated to the charges. *Commissioner Hayslett moved to fine the location \$750.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Greer seconded. The motion passed.* The owner agreed to the fine and probation.
9. Walid M. Awadeh – 1341 Winchester Ave. – dba – “**Save A Minute**” – **Citation #780968**
Date of Violation: **Saturday, May 21, 2016**
Date Permit Approved: 04-07-2010
Prior Violation(s): 01-30-2015 (C-5)
Officer(s): Scott #11510, Smith #8636, Payne #0804
The owner didn’t appear. *Commissioner Greer moved to indefinite suspend the location for failure to appear. Commissioner Chase seconded. The motion passed.*

The following location(s) is in violation of A C Rule C-4, C-5 WITH priors:

10. Mustafa Abdullah – 4835 Winchester Rd. – Rico 1 Stop Shop, Inc. – dba –
“**Rico 1 Stop Shop**” – **Citation #739277 & OS-370606**
Date of Violation: **Friday, May 27, 2016**
Date Permit Approved: 09-17-2014
Prior Violation(s): 05-09-2015 (C-5, D-4)
Officer(s): Richardson #1326, Smith #8636, Clark #1659
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$950.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Greer seconded. The motion passed.* The owner agreed with fine and probation.
11. Ashraf Alhrout – 4232 Winchester Rd. – dba – “**Firas Market**” –
Citation #739295 & OS-375585
Date of Violation: **Friday, May 27, 2016**
Date Permit Approved: 12-07-2015
Prior Violation(s): 05-22-2015 (C-5)
Officer(s): Stepney #1348, Ward #0502, Smith #1943
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$950.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Greer seconded. The motion passed.* The owner agreed with fine and probation.

12. Circle K Stores, Inc. – 2530 Appling Rd. – dba – “Circle K #3199” – Citation #790907 & OS-375584
Date of Violation: **Thursday, May 19, 2016**
Date Permit Approved: 01-04-2006
Prior Violation(s): 09-18-2012 (C-5)
Officer(s): Stepney #1348, Ward #0502, Smith #1943
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$950.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Greer seconded. The motion passed.* The owner agreed with fine and probation.
- The following location(s) is in violation of A C Rule C-5 WITH priors:**
13. Tonios El-Kareh – 3523 Schoolfield – dba – “Toni’s Market” – Citation #780964
Date of Violation: **Saturday, May 7, 2016**
Date Permit Approved: 07-18-2001
Prior Violation(s): 06-10-2013 (D-4)
Officer(s): Stepney #1348, Smith #8636, Smith #1943
The owner, represented by Atty. Jaber, stipulated to the charge. *Commissioner Hayslett moved to fine the location \$750.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Flanagan seconded. The motion passed.* The owner agreed with fine and probation.
14. Essan M. Al-Sabbagh – 2166 Raines Rd. – dba – “Corner Food Market” – Citation #110316
Date of Violation: **Saturday, May 7, 2016**
Date Permit Approved: 02-17-2010
Prior Violation(s): 06-13-2013 (D-4)
Officer(s): Lake #1783, Smith #1943
The owner, represented by Atty. Curry, stipulated to the charge. *Commissioner Hayslett moved to fine the location \$750.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Flanagan seconded. The motion passed.* The owner agreed with fine and probation.
15. Anas A. Al-Deek – 4299 Winchester Rd. – dba – “Z Market” – Citation #73929
Date of Violation: **Saturday, May 7, 2016**
Date Permit Approved: 02-17-2010
Prior Violation(s): 06-13-2013 (D-4)
Officer(s): Richardson #1326, Smith #8636, Clark #1659
The owner stipulated to the charge. *Commissioner Hayslett moved to fine the location \$750.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Wallace seconded. The motion passed.* The owner agreed with fine and probation.

The following location(s) is in violation of A C Rule C-4 WITH priors:

16. Yahya Mushreh – 1590 Vollentine - dba – “North Memphis Market” – Citation #329186
Date of Violation: **Wednesday, April 27, 2016**
Date Permit Approved: 12-2-2009
Prior Violation(s): 04-06-2013 (C-4, D-4)
Officer(s): Williams #11716, Knowlton #11110, Henry #11476
Mr. Asadi, represented by Atty. Curry, stipulated to the charge. *Commissioner Hayslett moved to fine the location \$200.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Greer seconded. The motion passed.* The owner agreed with fine and probation.

The following location(s) is in violation of A C Rule C-4, C-5 NO priors:

17. Ismael Zandani – 4770 Horn Lake Rd. - dba – “Community Grocery” – Citation #780582 & OS-370605
Date of Violation: **Saturday, May 21, 2016**
Date Permit Approved: 12-07-2011
Officer(s): Scott #11510, Smith #8636, Payne #1804
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$600.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Greer seconded. The motion passed.* The owner agreed to the fine and probation.

The following location(s) is in violation of A C Rule C-5 NO priors:

18. Alfredo Vieyra – 6194 Macon Rd. – Playita Mexicana Restaurant, Inc. - dba – “Playita Mexicana Restaurant” –Citation #780902
Date of Violation: **Thursday, May 19, 2016**
Date Permit Approved: 11-06-2002
Officer(s): Stepney #1348, Ward #0502, Galison #3156, Smith #8636
The owner, represented by Atty. Curry, stipulated to the charge. *Commissioner Hayslett moved to fine the location \$500.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner Greer seconded. The motion passed.* The owner agreed to the fine and probation.
19. Usman Mohamed – 4251 Winchester Rd. – King Express, Inc. - dba – “King Express” – Citation #739280
Date of Violation: **Friday, May 27, 2016**
Date Permit Approved: 02-03-2016
Officer(s): Richardson #1326, Smith #8636, Clark #1659
The owner stipulated to the charge. *Commissioner Hayslett moved to fine the location \$500.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner West seconded. The motion passed.* The owner agreed to the fine and probation.

20. Anas N. Khmous – 4580 Winchester Rd. – Fast Check, LLC - dba – **“Fast Check”** – **Citation #739294**
Date of Violation: **Friday, May 27, 2016**
Date Permit Approved: 03-16-2016
Officer(s): Ward #0502, Smith #1943, Stepney #1348
The owner stipulated to the charge. *Commissioner Hayslett moved to fine the location \$500.00 along with 60 day probation or a 30 day suspension of their permit. Commissioner West seconded. The motion passed.* The owner agreed to the fine and probation.

V. The following person(s) has applied to sell beer for “ON” premises consumption:

21. Tung Nguyen & Vien Ngo – 1105 N. Houston Levee, Ste. 104 – Vietnam Coast Restaurant Partnership - dba – **“Vietnam Coast Restaurant”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, *Commissioner Greer moved to continue this location to the August 3, 2016 meeting because the applicant didn’t run their ad in the appropriate time. Commissioner Chase seconded. The motion passed.*
22. Nedal Alkhmous – 5281 Knight Arnold Rd. – dba – **“TMT Food & Grill”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, *Commissioner Greer moved approval. Commissioner Hayslett seconded. The motion passed.*
23. Curtis & Robin Wooten – 8095 Macon Rd. – dba – **“All Star Hot Wings”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, *Commissioner Greer moved approval and that the applicant has three weeks to bring in the extended lease agreement and UNO with the seating capacity on it. Commissioner Chase seconded. The motion passed.*
24. Angie Hines – 79 Madison Ave. – Aparium Hotel Group, LLC - dba – **“The Madison Hotel”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, *Commissioner Greer moved approval. Commissioner Flanagan seconded. The motion passed.*
25. Xiangfeng Deng & Bifang Lin – 5101 Sanderlin Ave., Ste. 105 – Wasabi Sushi Asian Fusion, Inc. - dba – **“Wasabi Sushi Asian Fusion”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, *Commissioner Greer moved approval. Commissioner Chase seconded. The motion passed.*

VI. The following person(s) has applied to sell beer for “OFF” premises consumption:

26. Fnu Javed & Naushd Noorallah – 1709 E. Brooks Rd. – Mex Trading, LLC – dba – **“Brooks Rd BP”**

Upon routine questioning by the commissioners about the alcoholic beverages laws, ***Commissioner Greer moved approval. Commissioner Flanagan seconded. The motion passed.***

27. Abdo Murshed – 1270 Getwell Rd. – dba – **“Getwell Tobacco Mart”**

Upon routine questioning by the commissioners about the alcoholic beverages laws, ***Commissioner Greer moved approval. Commissioner Flanagan seconded. The motion passed.***

28. Neda Alkhmous – 5405 Knight Arnold Rd. – dba – **“Amana Market”**

Upon routine questioning by the commissioners about the alcoholic beverages laws, ***Commissioner Greer moved approval. Commissioner Hayslett seconded. The motion passed.***

29. Salamat Shah – 2810 S. Perkins – Big D Perkins, LLC - dba – **“Big D Perkins, LLC”**

Upon routine questioning by the commissioners about the alcoholic beverages laws, Attorney Settle wants to continue this location to the August 3, 2016 meeting. ***Commissioner Greer moved to continue this location to the August 3, 2016 Alcohol Commission meeting. Commissioner Hayslett seconded. The motion passed.***

30. Rahim Umlani – 6121 Poplar Ave. – Blooming Poplar, LLC – dba – **“Blooming Poplar, LLC”**

Upon routine questioning by the commissioners about the alcoholic beverages laws, ***Commissioner Greer moved approval. Commissioner Chase seconded. The motion passed.***

31. Lemeaco Ivy – 4056 Elvis Presley Blvd. – ALDI, Inc. (Tennessee) – dba – **“Aldi #70”**

Upon routine questioning by the commissioners about the alcoholic beverages laws, ***Commissioner Greer moved approval. Commissioner Flanagan seconded. The motion passed.***

32. Ronald Tullos – 1610 N. Germantown Pkwy. – ALDI, Inc. (Indiana) L.P. – dba – **“Aldi #64”**

Upon routine questioning by the commissioners about the alcoholic beverages laws, ***Commissioner Greer moved approval. Commissioner Flanagan seconded. The motion passed.***

33. Mauricio Eskridge – 2877 Lamar Ave. – ALDI, Inc. (Tennessee) – dba – **“Aldi #71”**

Upon routine questioning by the commissioners about the alcoholic beverages laws, ***Commissioner Greer moved approval. Commissioner Flanagan seconded. The motion passed.***

34. Jennifer Bennett – 2765 S. Perkins Rd. – ALDI, Inc. (Tennessee) – dba – “Aldi #68”
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner Greer moved approval with the applicant bringing in new signatures to the Permits Office. Commissioner Flanagan seconded. The motion passed.
35. Shelly Black – 4508 Summer Ave. – ALDI, Inc. (Tennessee) – dba – “Aldi #69”
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner Greer moved approval with the applicant bringing in another power of attorney with Jarrod Watts name on it to the Permits Office. Commissioner Flanagan seconded. The motion passed.
36. Jarrod Watts – 7520 Winchester Rd. – ALDI, Inc. (Indiana) L.P. – dba – “Aldi #65”
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner Greer moved approval. Commissioner Flanagan seconded. The motion passed.

VII. New Business:

VIII. Old Business:

X. Adjournment:

There being no further business to come before the commission, Commissioner Greer moved for adjournment at approximately 11:52 a.m. Commissioner Hayslett seconded. The meeting was adjourned.

Billy Post, Chairman

Date

Aubrey J. Howard, Executive Secretary

Date